

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 419 - HB 557

March 6, 2023

SUMMARY OF BILL AS AMENDED (004700): Broadens the criteria under which a video recording of a forensic interview containing statements by children is considered admissible evidence to include those made by a child under 18 years of age, rather than 13, and encompassing sexual or physically violent acts committed on the child or another, rather than just sexual acts. Clarifies that the recording is admissible at any stage of a criminal proceeding or juvenile court proceeding. Adds alternative qualifications a forensic interviewer may meet in order for a recording of an interview conducted by the forensic interviewer to be considered admissible. Clarifies the circumstances and requirements necessary for such a video's admissibility in a juvenile court proceeding. Requires, if such a video is offered into evidence in a juvenile court proceeding, the court to enter a protective order to restrict the recording from further disclosure and dissemination and establishes that the recording is not a public record.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- The proposed changes pertain only to what evidence may or may not be admissible and considered for its bearing on a matter in a criminal proceeding or juvenile court proceeding.
- The proposed changes will not increase the number of proceedings in a criminal or juvenile court, nor are they estimated to significantly lengthen such proceedings or result in a significant increase in convictions.
- Any fiscal impact to state, local, or juvenile courts is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Krista Lee Carsner, Executive Director

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